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CENTRAL FAX CENTER**JUN 03 2008**

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| TO: | Mail Stop AF | FROM: | Michael J. Ostrom |
| COMPANY: | USPTO | DATE: | JUNE 3, 2008 |
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| RE: | Notice of Appeal | APPLICATION SERIAL NUMBER: | 10/660,303 |

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CENTRAL FAX CENTER**JUN 03 2008****PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: John W. Stewart; Wendy R. Cartee; Truman Joe Confirmation No. 5407
Serial No.: 10/660,303
Filed: September 11, 2003 Customer No.: 28863
Examiner: Yemane Mesfin
Group Art Unit: 2144
Docket No.: 1014-067US01/JNP-0314
Title: AUTOMATIC ESTABLISHMENT OF NETWORK PERFORMANCE
MONITORING COMMUNITIES USING ROUTING PROTOCOLS

CERTIFICATE UNDER 37 CFR 1.8 I hereby certify that this correspondence is being transmitted via facsimile to the United States Patent and Trademark Office on June 3, 2008.

By: Caryl Harriman

Name: Caryl Harriman

NOTICE OF APPEAL**MAIL STOP AF**

Assistant Commissioner for Patents
Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R. § 41.31, Applicants hereby appeal to the Board of Patent Appeals and Interferences from the final rejection of claims 1-37 and 39-53 of the above-identified application, as set forth in the Office Action mailed March 3, 2008.

Please charge Deposit Account No. 50-1778 the amount of \$510.00 for the required fee for filing this Notice of Appeal as set forth under 37 C.F.R. § 41.20(b)(1). Please charge any deficiencies or credit any overpayment to Deposit Account No. 50-1778.

Date:

June 3, 2008

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